

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DAVONTAE ROSS, TIMOTHY  
LUCAS, STARMANIE JACKSON,  
KUSHAWN MOORE, JR., a minor,  
by his parent and next friend,  
KUSHAWN MOORE, SR., ASIA  
DIXON, KEITH WILSON, and  
KATRINA GARDNER,

On behalf of themselves and all  
others similarly situated,

Plaintiffs,

v.

Case 2:19-cv-11076-LJM-EAS

Honorable Laurie J. Michelson

Magistrate Judge Elizabeth A. Stafford

Honorable NANCY M. BLOUNT, in her  
official capacity as Chief Judge of  
Michigan's 36th District Court;  
BARI BLAKE WOOD, MILLICENT D.  
SHERMAN, LAURA A. ECHARTEA,  
DAWN WHITE, and JEFFREY  
KLEPAREK, in their official capacities  
as Magistrates of Michigan's 36th District  
Court; and BENNY N. NAPOLEON, in his  
official capacity as Sheriff of Wayne  
County, Michigan,

Defendants.

---

**STIPULATED ORDER REGARDING STAY OF CASE**

This matter having come before the Court upon the stipulation of the Plaintiffs  
and Defendants Honorable Nancy M. Blount, in her official capacity as Chief Judge

of Michigan's 36<sup>th</sup> District Court, Bari Blake Wood, Millicent D. Sherman, Laura A. Echarte, Dawn White, and Jeffrey Kleparek, in their official capacities as Magistrates of Michigan's 36<sup>th</sup> District Court (collectively, "Judicial Defendants"), and Benny N. Napoleon, in his official capacity as Sheriff of Wayne County, Michigan ("Sheriff Defendant") through their respective counsel, hereby stipulate and agree to the instant order ("Stipulated Stay Order").

In order to allow time for discussions between the parties aimed at reaching a mutually agreeable resolution of this matter, Plaintiffs, Judicial Defendants and Sheriff Defendant agree that this case be **STAYED**. The parties also agree that all outstanding motions, including the motions to dismiss and the motion for class certification, will remain pending during the stay.

This Stipulated Stay Order may be lifted immediately by a "Notice of Lifting Stipulated Stay Order" being filed by the Plaintiffs or Judicial Defendants. This Stipulated Stay Order may also be lifted based on the entry of an order granting a motion filed by Sheriff Defendant to lift this Stipulated Stay Order. Upon dissolution of the stay, Plaintiffs have up to 21 days to file their response to Judicial Defendants' pending motion to dismiss and to file their response to Sheriff Defendant's pending motion to dismiss. Judicial Defendants have up to 22 days from the date of Plaintiffs' response filing to their pending motion to dismiss to file

their reply. Sheriff Defendant has up to 22 days from the date of Plaintiffs' response filing to his pending motion to dismiss to file his reply.

**IT IS HEREBY ORDERED** that this case is stayed pursuant to the terms set forth in this Stipulated Stay Order.

Date: August 23, 2019

s/Laurie J. Michelson  
United States District Judge

***We hereby stipulate to entry of the foregoing Order***

AMERICAN CIVIL LIBERTIES  
UNION FUND OF MICHIGAN

/s/ Philip Mayor

Philip Mayor (P81691)

Daniel S. Korobkin (P72842)

Michael J. Steinberg (P43085)

2966 Woodward Avenue

Detroit, MI 48201

(313) 578-6803

pmayor@aclumich.org

dkorobkin@aclumich.org

msteinberg@aclumich.org

*Attorneys for Plaintiffs*

AMERICAN CIVIL LIBERTIES  
FOUNDATION, CRIMINAL LAW  
REFORM PROJECT

Twyla Carter

Brandon J. Buskey

125 Broad Street, 18th Floor

New York, NY 10004

(212) 549-2500

tcarter@aclu.org

bbuskey@aclu.org

*Attorneys for Plaintiffs*

COVINGTON & BURLING LLP

Aaron Lewis (P68688)

Mitchell Kamin

Covington & Burling LLP

1999 Avenue of the Stars

Los Angeles, CA 90067-4643

(424)-332-4800

alewis@cov.com

mkamin@cov.com

*Attorneys for Plaintiffs*

COVINGTON & BURLING LLP

James Garland

Amia Trigg

Wesley Wintermyer

Marta Cook

Julia Brower

Laura Beth Cohen

One City Center

850 Tenth Street NW

Washington, DC 20001-4656

(202) 662-6000

jgarland@cov.com

atrigger@cov.com

wwintermyer@cov.com

mcook@cov.com

jbrower@cov.com

lcohen@cov.com

*Attorneys for Plaintiffs*

DICKINSON WRIGHT PLLC

/s/ Scott A. Petz (w/consent)

Scott A. Petz (P70757)

Lauren A. Kwapis (P76642)

Alma Sobo (P81177)

2600 West Big Beaver Road, Suite 300

Troy, MI 48084

(248) 433-7200

spetz@dickinsonwright.com

lkwapis@dickinsonwright.com

asobo@dickinsonwright.com

*Attorneys for Judicial Defendants*

DICKINSON WRIGHT PLLC

Martin D. Holmes TN (12122)

424 Church Street, Suite 800

Nashville, TN 37219

(615) 244-6538

mholmes@dickinsonwright.com

*Attorneys for Judicial Defendants*

DICKINSON WRIGHT PLLC

K. Scott Hamilton (P44095)  
Aaron V. Burrell (P73708)  
500 Woodward Avenue, Suite 4000  
Detroit, MI 48226  
(313) 223-3500  
khamilton@dickinsonwright.com  
aburrell@dickinsonwright.com  
*Attorneys for Judicial Defendants*

Gerald K. Evelyn (P29182)  
535 Griswold Street, Suite 1000  
Detroit, MI 48226-3692  
(313) 962-3500  
geraldevelyn@yahoo.com  
*Co-Counsel for Judicial Defendants*

WAYNE COUNTY

CORPORATION COUNSEL  
/s/ Davidde A. Stella (w/consent)  
Davidde A. Stella (P69948)  
500 Griswold St., 30th Floor  
Detroit MI 48226  
(313) 224-5030  
dstella@waynecounty.com  
*Attorneys for Defendant*  
*Benny N. Napoleon only*